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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,030	05/20/2004	Klaus Zucholl		7033
7590	01/24/2007		EXAMINER	
William D. Breneman, Esq. BRENEMAN & GEORGES 3150 Commonwealth Avenue Alexandria, VA 22305			RIGGLEMAN, JASON PAUL	
			ART UNIT	PAPER NUMBER
			1746	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	01/24/2007	PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.	Applicant(s)	
10/849,030	ZUCHOLL ET AL.	
Examiner	Art Unit	
Jason P. Riggleman	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 May 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 8/18/2004, 8/24/2004.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because a duplicate copy of Fig. 1 (not labeled as Fig. 1) has been submitted. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "2" and "5" have both been used to designate the pump, see Fig. 3. For purposes of examination, "5" in Fig. 3 is assumed to be "2" -- indicating a pump. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in

Art Unit: 1746

reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "1/3", "2/3", and "3/3". Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. Regarding claims 1 and 16-17, the phrase "such as" and "similar" render the claims indefinite because it is unclear whether the limitations following the phrases are part of the claimed invention. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 6, and 16 are rejected under 35 U.S.C. 102(b) as being unpatentable by Shore (GB Patent No. 1300756).

7. Shore teaches a household appliance having an addition unit 11 for adding cleansing agent to a cleaning liquid, with the addition unit 11 connected by a pressure line 19 to a rinsing pump 16 to deliver a wash liquid to the addition unit. A suction line 17 of the rinsing pump 16 is connected to a liquid reservoir 2, Fig. 2. The suction line 17 of the rinsing pump 16 is connected with a collection basin 2 for cleaning liquid. The rinsing pump 16 is a circulation pump (Lines 80-89). The apparatus has the pump 16 connected to the addition unit 11 by means of a conduit (19 and 14). The appliance has an on-off valve (rubber flap 22) for connecting the addition unit 11 with a liquid circuit of the cleaning liquid.

8. Claims 1-5 and 16 are rejected under 35 U.S.C. 102(b) as being unpatentable by Comin (EPO Patent Application Publication No. 0517015A1).

Art Unit: 1746

9. Comin teaches a household appliance having an addition unit 1 for adding cleansing agent to a cleaning liquid, with the addition unit 1 connected by a pressure line 8 to a rinsing pump 9 to deliver a wash liquid to the addition unit. A suction line 6 of the rinsing pump 9 is connected to a liquid reservoir 3, Fig. 2. The suction line 6 of the rinsing pump 9 is connected with a collection basin 3 for cleaning liquid. The rinsing pump 9 is a circulation pump (Column 2, Lines 30-35). The apparatus has the pump 9 connected to the addition unit 1 by means of a conduit 8. A delivery line 8 branches off from the liquid circuit 6 to deliver a partial flow of cleaning liquid into the addition unit (via delivery line 8), Fig. 1.

10. Claims 1, 4-7, and 10 are rejected under 35 U.S.C. 102(b) as being unpatentable by Whah et al. (US Patent No. 6269666).

11. Whah et al. teaches a household appliance having an addition unit 28 for adding cleansing agent to a cleaning liquid, with the addition unit 28 connected by a pressure line 48 to a circulating rinsing pump 23 to deliver a wash liquid to the addition unit 28. A delivery line 33 branches off from the liquid circuit of cleaning liquid to deliver a partial flow of cleaning liquid into the addition unit 28, Fig. 2. An on-off valve (21, 62, 64, 66) connects the addition unit 28 with the liquid circuit of the cleaning liquid. A control unit 22 dispenses a partial quantity of the cleansing agent located in the addition unit 28. A flowmeter 68 is provided for quantity-dependent switching of the on-off valve (Column 5, Lines 40-45). A sensor 46 measures the concentration of a cleaning agent in the appliance (monitoring "suds lock") and provides data to the control unit 22 (Column 5,

Lines 10-23) and (Column 1, Lines 35-50). A temperature sensor allows determination of "suds lock" (Column 8, Lines 38-45).

12. Claims 1-4, 7-8, and 16 are rejected under 35 U.S.C. 102(b) as being unpatentable by Hohmann et al. (US Patent No. 4710233).

13. Hohmann et al. teaches a household appliance having an addition unit 5 for adding cleansing agent to a cleaning liquid, with the addition unit 5 connected by a pressure line to a rinsing pump 20 to deliver a wash liquid to the addition unit. A suction line of the rinsing pump 20 is connected to a liquid reservoir 3, Fig. 2. The suction line of the rinsing pump 20 is connected with a collection basin 3 for cleaning liquid. The rinsing pump 20 is a circulation pump (Column 6, Lines 5-10). The apparatus has the pump 20 connected to the addition unit 5 by means of a conduit. A control unit 43 provides control of the valves for dispensing a partial quantity of the cleansing agent. The appliance has an on-off valve (V28) for connecting the addition unit 5 with a liquid circuit of the cleaning liquid. The on-off valve (V28) has a control unit 43 for a time-dependent switching of the on-off valve and a dispensing unit (line feeding addition unit 5) for dispensing a partial quantity of the cleansing agent disposed in the addition unit 5 (Column 5, Lines 50-63).

14. Claims 1-5 and 10-17 are rejected under 35 U.S.C. 102(b) as being unpatentable by Chan et al. (US Patent No. 5500050).

15. Chan et al. teaches a household appliance having an addition unit 120 for adding cleansing agent to a cleaning liquid, with the addition unit 120 connected by a pressure line to a rinsing pump 126 to deliver a wash liquid to the addition unit. A suction line

(pressure line) of the rinsing pump 126 is connected to a liquid reservoir 120, Fig. 1. The suction line (pressure line) of the rinsing pump 126 is connected with a collection basin 120 for cleaning liquid. The rinsing pump 126 is a circulation pump, Fig. 1. The apparatus has the pump 126 connected to the addition unit 120 by means of a conduit, Fig. 1. A delivery line 121 branches off from the liquid circuit of cleaning liquid to deliver a partial flow of cleaning liquid into the addition unit 120, Fig. 2. A dispensing unit 116 and a temperature sensor 173 are taught, Fig. 1. A concentration conductance sensor 172 determines the concentration of the liquid exiting from the addition unit 120 (Column 7, Lines 10-20) and controls other functions of the household appliance (via control panel 100 feedback).

16. In regards to claim 17, Chan et al. teaches, Fig. 1, a cleaning apparatus with a cleaning agent addition unit 119; a pump 126 for pumping a washing liquid in a first liquid circuit; a conduit 121 connecting said pump with said cleaning agent addition unit to provide a second liquid circuit; an on-off valve 104 disposed between said pump and said cleaning agent addition unit 119; and a sensor 172 for measuring the concentration of a cleaning agent in the apparatus for providing data to the control unit 100.

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Art Unit: 1746

18. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hohmann et al. (US Patent No. 4710233) as applied to claim 8 above, and further in view of Whah et al. (US Patent No. 6269666).

19. Hohmann et al. does not teach a flow-meter for quantity-dependent switching of the on-off valve; however, Whah et al. teaches a flow-meter to ascertain when water is added to the recirculation system (Column 5, Lines 35-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hohmann et al. with Whah et al. to create a washing machine with means to detect the recirculation of the water, when the on-off valve is opened, to detect a leak.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Riggleman whose telephone number is 571-272-5935. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1746

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Riggleman  
Examiner  
Art Unit 1746

JPR



MICHAEL BARR  
SUPERVISORY PATENT EXAMINER